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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARIEL ABITTAN,

Plaintiff,

v.

LILY CHAO (a/k/a TIFFANY CHEN, a/k/a
YUTING CHEN), DAMIEN DING (a/k/a
DAMON LEUNG, a/k/a DAMIEN RAY
DONOVAN, a/k/a TAO DING), YUTING
CHEN, TEMUJIN LABS INC. (a Cayman
Islands corporation), and Does 1-100,
inclusive,

Defendants.

Case No.: 5:20-CV-09340-NC

**STIPULATION RE CONTINUANCE
OF CASE MANAGEMENT
CONFERENCE; ORDER**

Judge: Hon. Nathanael M. Cousins

Pursuant to Civil Local Rules 6-1, 6-2, 16-9 and 16-10, Defendants Temujin Labs Inc., a Cayman Islands corporation (“Temujin Cayman”) and the Individual Defendants (collectively “Defendants”) and Plaintiff Ariel Abittan (“Plaintiff”) (Plaintiff and Defendants collectively “Parties”) by and through their respective counsel, stipulate and request as follows:

RECITALS

Pursuant to the Minute Entry for proceedings held before Magistrate Judge Nathanael M. Cousins (Dkt. No. 135), a further Case Management Conference was set in this case for August 24, 2022 at 10:00 a.m. with a joint update due by August 17, 2022.

Since that time, lead counsel for Defendants has been scheduled to be in trial on another matter in Santa Clara County Superior Court on August 24, 2022. Hansen Decl. ¶ 2. Pursuant to Civil Local Rule 16-10(a), lead trial counsel for each party must attend the initial Case Management Conference.

As such, the Parties met and conferred and agreed: (1) to continue the Case Management Conference from August 24, 2022 at 10:00 a.m. to September 7, 2022 at 1:00 p.m. and (2) that the joint case management conference statement would be due by August 31, 2022. Hansen Decl. ¶ 3.

The Parties request that the Court enter an order confirming the terms of the stipulation between the Parties. The Parties assert that the instant request is made in accordance with Civil L.R. 6-1(b) and 6-2(a).

Pursuant to Civil L.R. 6-2(a)(2), and aside from the time modifications described herein, the following previous time modifications have been made in this case:

- (1) On March 5, 2021, the Court continued the Initial Case Management Conference set for March 17, 2021 to April 28, 2021 (Dkt. No. 22);
- (2) On March 25, 2021, Plaintiff, Temujin Labs Inc., a Delaware corporation (“Temujin DE”), and Temujin Cayman agreed to extend Temujin DE and Temujin Cayman’s deadline to respond to the original Complaint to April 6, 2021 (Dkt. No. 24);
- (3) On April 6, 2021, Plaintiff, Temujin DE, and Temujin Cayman agreed to extend the deadline for any defendant to respond to the original Complaint to April 30, 2021 (Dkt. No. 31);

- 1 (4) On April 21, 2021, the Court entered a Modified Order re 43 Stipulation Setting
2 Schedule and Extending Time to Respond. The Court continued the Case
3 Management Conference set for April 28, 2021 to July 7, 2021 (Dkt. No. 44);
- 4 (5) On June 10, 2021, pursuant to stipulation, the Court modified the briefing schedule
5 and hearing date on Defendants' Motion to Dismiss (Dkt. No. 57);
- 6 (6) On June 28, 2021, the Clerk issued a Notice continuing the Case Management
7 Conference set for July 7, 2021 to July 28, 2021 (Dkt. No. 67);
- 8 (7) On July 19, 2021, the Clerk issued a Notice continuing the Case Management
9 Conference set for July 28, 2021 to October 6, 2021 (Dkt. No. 79);
- 10 (8) On September 29, 2021, the Court ordered that the Case Management Conference be
11 continued from October 6, 2021 to November 17, 2021, and that a Case Management
12 Statement was due by November 10, 2021 (Dkt. No. 90);
- 13 (9) On October 6, 2021, the Court entered an order modifying the briefing and hearing
14 schedule on "Plaintiff's Motion for an Order Allowing Defendants Lily Chao and
15 Damien Ding to Be Served (1) Through Counsel...", Dkt. No. 83 (Dkt. No. 96);
- 16 (10) On November 15, 2021, the Court entered an order continuing the Case Management
17 Conference from November 17, 2021 to December 8, 2021 at 10:00 a.m. and ordering
18 that a Joint Case Management Statement was due by December 1, 2021 (Dkt. No.
19 111);
- 20 (11) On December 2, 2021, the Clerk continued the Initial Case Management Conference
21 from December 8, 2021 to February 9, 2022 at 10:00 a.m. and ordered an updated
22 Case Management Statement to be filed by February 2, 2022 (Dkt. No. 116);
- 23 (12) On February 7, 2022, the Court continued the Case Management Conference from
24 February 9, 2022 to March 2, 2022 at 10:00 a.m. (Dkt. No. 127); and
- 25 (13) On February 24, 2022, the Clerk issued a Notice continuing the Case Management
26 Conference to March 30, 2022 at 1:00 p.m. and ordered a joint update to be filed by
27 March 23, 2022 (Dkt. No. 131).

28 Further, pursuant to Civil L.R. 6-2(a)(3), the requested time modification would not have a

prejudicial effect on the schedule for the case. Trial has not been set in the case, and no discovery has been conducted yet (the depositions of the Individual Defendants were stayed pursuant to the Court's order on May 2, 2022, Dkt. No. 139). Hansen Decl. ¶ 4.

STIPULATION

The Parties therefore stipulate that the August 24, 2022 Case Management Conference shall be continued to September 7, 2022 at 1:00 p.m. and the Joint Case Management Statement shall be filed by August 31, 2022.

DATED: July 25, 2022

HANSEN LAW FIRM, P.C.

By: /s/ Craig A. Hansen
CRAIG A. HANSEN

Attorneys for Defendants

DATED: July 25, 2022

ROCHE FREEDMAN LLP

By: /s/ Constantine P. Economides
CONSTANTINE P. ECONOMIDES

Attorneys for Plaintiff Ariel Abittan

I hereby attest that I obtained consent in the filing of this document from each of the other signatories on this e-filed document.

DATED: July 25, 2022

HANSEN LAW FIRM, P.C.

By: /s/ Craig A. Hansen
CRAIG A. HANSEN

ORDER

Pursuant to the above stipulation, and good cause appearing, IT IS SO ORDERED. Entered this 25th day of July, 2022.

Hon. Nathanael M. Cousins Judge

